



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/848,218

Confirmation No.: 6395

In re Application of:

Toshinori MAEDA et al.

Group Art Unit: 2133

Filed: May 4, 2001

Examiner: Joseph D. Torres

For: ERROR CORRECTION DEVICE

CONFIRMATION OF TELEPHONE ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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DEC 09 2004
Technology Center 2100

Sir:

The Examiner in charge of the above-identified application telephoned applicants' representatives on December 3, 2004, to communicate a Restriction Requirement under 35 U.S.C. §121 among the following:

Group I corresponds to claims 1, 2, 12, 16, 20, 24, 31, 35, 39, 43, and 47;

Group II corresponds to claims 3 and 4;

Group III corresponds to claims 5 and 6;

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Group IV corresponds to claims 7-11, 13-15, 17-19, 21-23, 25-27, 32-34, 36-38, 40-42, 44-46 and 48-50;

Group V corresponds to claims 28 and 29; and

Group VI corresponds to claim 30.

In response to that requirement, applicants' undersigned representative made a provisional election during a telephone conference with the Examiner on December 7, 2004 to prosecute the invention of Group I (i.e., claims 1, 2, 12, 16, 20, 24, 31, 35, 39, 43 and 47) in this application. Applicants' undersigned representative hereby confirms that this provisional election was made with traverse, since no adequate basis therefor has yet been stated in the record.

Search and examination of the entire application can be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary

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delay and expense to applicants and unnecessary duplicative examination by the USPTO.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.

December 7, 2004

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